

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SUQUAMISH TRIBE, a federally-recognized Indian Tribe,	)	No. 2:12-cv-01455-RSL
Plaintiff,	)	
v.	)	NOTICE OF RELATED CASE
	)	
UNITED STATES ARMY CORPS OF ENGINEERS, an agency within the United States Department of Defense; JOHN McHUGH, in his official capacity as Secretary of the Army; COLONEL BRUCE A. ESTOK, in his official capacity as Commander and District Engineer of the Seattle District of the United States Army Corps of Engineers; the UNITED STATES DEPARTMENT OF THE NAVY, an agency within the United States Department of Defense; RAY MABUS, in his official capacity as Secretary of the Navy; ROGER M. NATSUHARA in his official capacity as Principal Deputy Assistant Secretary of the Navy; CAPTAIN PETER M. DAWSON, in his official capacity as Commanding Officer of Naval Base Kitsap; the NATIONAL MARINE FISHERIES SERVICE, a part of the National Oceanic and Atmospheric Administration, an agency within the United States Department of Commerce; and WILLIAM W. STEEL, JR., in his official capacity as Regional Administrator of the National Marine Fisheries Service,	)	
Defendants.	)	

NOTICE OF RELATED CASE  
No. 2:12-cv-01455-RSL

U.S. DEPARTMENT OF JUSTICE  
999 18TH ST., SOUTH TERRACE-STE. 370  
DENVER, CO 80202  
(303) 844-1376

1 PLEASE TAKE NOTICE that this case is related to *Ground Zero Center for Nonviolent*  
2 *Action v. U.S. Department of the Navy*, Case No. 3:12-cv-05537, filed on June 19, 2012 and  
3 currently pending before Judge Ronald B. Leighton.  
4

5 The cases are factually related because they both challenge the Navy's decision, signed  
6 on May 4, 2012, to construct and operate a proposed second explosives handling wharf at Naval  
7 Base Kitsap at Bangor, Washington. The more recent case brought by the Suquamish Tribe also  
8 challenges related authorizations for the project issued by the U.S. Army Corps of Engineers and  
9 the National Marine Fisheries Service.  
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11 In addition, some of the claims brought in the *Ground Zero* case are the same or similar  
12 to the claims brought by the Suquamish Tribe. In both cases, the plaintiffs allege that the Navy's  
13 decision violates the National Environmental Policy Act. The case filed by the Suquamish also  
14 alleges violations of treaty rights, federal trust responsibilities, due process, the Rivers and  
15 Harbors Act, the Clean Water Act, and the Endangered Species Act.  
16

17 Given that both cases challenge the same underlying action, the Navy's construction and  
18 operation of the proposed second explosives handling wharf at Naval Base Kitsap, and there will  
19 be substantial overlap in the factual and legal issues that the Court must consider in resolving the  
20 respective plaintiffs' claims, the interests of judicial economy and judicial efficiency would be  
21 served by relating these two cases. Accordingly, this case should be reassigned to Judge  
22 Leighton.  
23

24 Respectfully submitted this 30th day of August, 2012.

25 IGNACIA S. MORENO  
26 Assistant Attorney General

27 /s/ Luther L. Hajek  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 30, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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